

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Land Acquisition - Suits - Nalgonda District - Dameracherla Mandal - Wadapally Village - Acquisition of Land for formation of New B.G. Railway Line between Bibinagar and Nadikudi - High Court Order dated 19.12.2005 in A.S No. 2665/1990 confirming the order in O.P No. 5/89- Sanction of Rs. 54,72,762/- towards decretal charges- Orders -Issued.

TRANSPORT, ROADS & BUILDINGS (B-II) DEPARTMENT

G.O.Rt.No 1174.

Dated:20.10.2009
Read.

Ref:- From the Chief Commissioner of Land Administration & Spl.Cs, AP, Hyderabad CCLA's Lr.No.G3/1353/2007,
Dt.27.9.2008.

ORDER:-

In the reference read above, the Chief Commissioner of Land, Hyderabad has informed that the District Collector, Nalgonda has submitted that an extent of Ac.268.15 gts. of land was acquired for formation of new B.G. Railway line in Wadapally Village of Damarcherla Mandal. The Revenue Divisional Officer, Miryalguda has passed award duly dividing the land under six categories as A, B, C, D,E & F and fixed different rates to each category and paid the compensation for a total consideration of Rs.11,30,026.00. The aggrieved awardees to an extent of Ac.263-37 gts. sought for reference under sec.18 of Land Acquisition Act and the Hon'ble Sr.Civil Judge Court in OP.No.5/89 has enhanced compensation @ 20,000/- P.A. commonly to all categories. Aggrieved by these orders, an appeal A.S No. 2665/90 was preferred in Hon'ble High Court of Andhra Pradesh, Hyderabad. The Honble High Court had delivered the judgment and confirmed the Lower Court orders. Further, the Advocate General has opined that it is not a fit case to carry the matter in appeal to the Hon'ble Supreme Court. The District Collector, Nalgonda has therefore requested to provide necessary funds as per calculation sheet for realization of decretal charges to the tune of Rs.95,49,880 to comply the court orders in O.P.No.5/1989 as confirmed in A.S.No.2665/90.

2. He has further stated that the District Collector has calculated interest on solatium and additional market value whereas the orders of the lower court is for payment of benefits under the Amended Act 68 of 1984. As such interest of solatium and additional market value is not payable. Further the Collector has calculated further interest on the balance payable after 23.07.1991. But further interest is not payable as the total principle of Rs. 46,13,932/- was paid on 23.07.1991, when the interim deposit of Rs. 72,76,732/- was made. Hence there is difference in the calculation to the tune of Rs. 40,77,118/-. He has furnished a revised calculation sheet according to which an amount of Rs. 54,72,762/- only has to be payable to comply the Court orders instead of Rs. 95,49,880/- as calculated by the District Collector.

3. Government after careful examination of the matter hereby accord sanction for an amount of Rs.54,72,762/-(Rupees Fifty Four Lakhs Seventy two thousand Seven hundred sixty two only) towards payment of decretal charges to implement the orders in O.P. No. 5/1989.

4. The expenditure sanctioned in para-4 above, shall be debited to the Head of Account "MH 3054- Capital Outlay on Roads and Bridges SH 80-General - MH 800- Other expenditure SH (06) - Acquisition of lands and providing other facilities for Railways -310 Grant in Aid -312 Other grants - in-aid (Charged)" and shall met initially by an advance from the Contingency Fund orders regarding which will be issued by Finance & Planning (FW.BG) Department separately.

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5. The District Collector, Nalgonda is requested to send necessary proposals to Government in the prescribe proforma for sanction of advance from the Contingency Fund during the year 2009-2010.

6. This order issues with the concurrence of Finance Department vide their U.O.No.014518-B/598/A2/Expr.PWD/09 dt.18.06.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**K.RATNA PRABHA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The District Collector, Nalgonda.
The Accountant General, A.P.Hyderabad
The Director of Treasuries & Accounts, Hyderabad
Copy to:
The District Treasury Officer, Nalgonda.
The Revenue Divisional Officer, Nalgonda.
The Finance (Expr.PW) Deptt.,

// FORWARDED :: BY ORDER //

SECTION OFFICER